

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
MARCOS ALVAREZ,

Plaintiff,

-v-

NEW BIG WONG RESTAURANT INC.,

Defendant.
-----X

24-CV-5797 (JAV)

ORDER SCHEDULING
DEFAULT JUDGMENT
BRIEFING

JEANNETTE A. VARGAS, United States District Judge:

Defendant in this action appears to be in default. Plaintiff shall file any motion for default judgment, in accordance with the Court's Individual Rules and Practices for Civil Cases, **by February 7, 2025**. Petitioner should familiarize itself with Local Civil Rules 55.1 and 55.2, which, along with Rule 55 of the Federal Rules of Civil Procedure and Appendix A of the Court's Individual Rules and Practices in Civil Cases, govern default judgment motion practice before this Court. Per Local Civil Rule 55.2, a party seeking default judgment must append to the motion a Clerk's Certificate of Default, which may be obtained by following the procedure described in Local Civil Rule 55.1. To be clear: Plaintiff must file its **motion** for default judgment, *not* merely its request for a Clerk's Certificate of Default, by the above deadline.

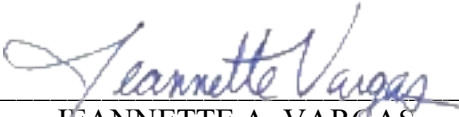
If or when a motion for default judgment is filed, the Court will enter a further Order setting a deadline for any opposition and reply and scheduling a show cause hearing. If no motion for default judgment is filed by the deadline set forth above, the case may be dismissed for failure to prosecute without further notice to the parties.

Plaintiff shall serve a copy of this Order on Defendant **within two business days from the date of this Order** via registered mail and at any email addresses known to Plaintiff to be

used by Defendant, and Plaintiff shall file proof of such service **within three business days of the date of this Order.**

SO ORDERED.

Dated: January 24, 2025
New York, New York



JEANNETTE A. VARGAS
United States District Judge